

"Approved by the City Council/Redevelopment Agency Board on May 30, 2007."

**CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES OF THE REGULAR MEETING**

**WESTMINSTER, CALIFORNIA  
May 9, 2007**

The City Council/Agency Board of the City of Westminster, California convened on May 9, 2007 at 6:12 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

**6:00 P.M.  
CLOSED SESSION**

**CALL TO ORDER**

**PRESENT:** RICE, MARSH, FRY, QUACH, TA  
**ABSENT:** NONE

**CLOSED SESSION:**

The City Council/Redevelopment Agency recessed to a Closed Session at 6:12 p.m. for the following purposes:

- 1) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: City Manager Ray Silver and Interim Director of Personnel/Risk Management Chris Birch; Employee Organization: Westminster Municipal Employees Association (WMEA)

**RECESS:** At 6:40 p.m., Mayor/Agency Chair Rice recessed the meeting held in the Council Conference Room.

**7:00 P.M.**

**RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

The City Council/Redevelopment Agency Meeting reconvened at 7:10 p.m. in the Council Chambers.

**ROLL CALL**

**PRESENT:** RICE, MARSH, FRY, QUACH, TA  
**ABSENT:** NONE

**SALUTE TO FLAG:** Led by Mayor Pro Tem Marsh

**INVOCATION:** Led by Council Member Ta

**REPORT OUT OF CLOSED SESSION** - None

**SPECIAL PRESENTATIONS:**

- A. The students that participated in Youth in Government Day introduced themselves and described what they learned at the City today.

- B. Police Chief Andy Hall presented a Bronze Medal of Merit to Sergeant Marcus Frank for his demonstration of outstanding individual performance over a period of time. Silver Medals of Courage were presented to Officers Bill Drinnin, Steve Eifert and Jeremy Hill for services they performed that presented a significant danger.
- C. The Mayor and City Council presented a Proclamation declaring May 20-26, 2007 as National Public Works Week to Marwan Youssef, Director of Public Works/City Engineer. (115-00)

### **The City Clerk Announced Late Communications**

The City Clerk announced Late Communications regarding agenda items that had been received in the City Clerk's office following distribution of the agenda packet:

### **Matters from City Manager**

**6.1** – Proposed Timeline for Emergency Transportation Services (502-19)

### **Commission & Committee Items**

**9.2** Communication submitted by: (201-00) (CN2006-24)

Herb & Anita Farrington dated May 3, 2007  
Wayne and Gladys Stickel dated May 7, 2007  
Richard Romero dated May 8, 2007  
Don Salow dated May 8, 2007  
Miles and Roxanne Fisher dated May 8, 2007  
Scott Van Camp dated May 9, 2007  
Gene LaBriola dated May 9, 2007

**9.3** Application for Appointment submitted by Bonnie Cooper to the Tree Education and Energy Committees

### **The Following Communications Were Submitted During the Meeting:**

**Oral Communications** – A seven (7) page petition submitted by Susan Gilpin in support of a neighborhood park on Jasperson Way.

**4.2** Letters of opposition to Item No. 4.2 on the agenda submitted by Arthur Rosen as follows:

David Barczewski, 14215 Frances Street, Westminster, dated May 8, 2007  
Dr. Susan Fleming, 14231 Graham Street, Huntington Beach, dated May 9, 2007  
Cathy Sowmay, 5502 Harold, Huntington Beach, dated May 9, 2007

**9.2** Jack Harrison, 5212 Hartford Way, submitted a petition signed by residents that are opposed to the partial closure of Northwestern Way at Bolsa Chica Road.

**1. CONSENT CALENDAR**

**APPROVAL OF MINUTES**

- 1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meetings of the City Council/Redevelopment Agency of April 11, 2007 and April 25, 2007, and Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of April 26, 2007.**

ACTION: Approved.

**ROUTINE MATTERS**

- 1.2 (REMOVED AND HEARD SEPARATELY)  
Claims Against The City (119-02)**

ACTION: Staff recommends the Mayor and City Council deny claims against the City from:

- a) Ken Hendrick in the amount of \$584,461.61
- b) Robert Poitras, Jr. in the amount of \$8,554.11
- c) Anne Belohovek in the amount of \$25,200.00.

**Motion was made by Mayor Pro Tem Marsh**, seconded by Council Member Ta to continue Item No. 1.2(c) for thirty days or to the Council meeting closest to that time to allow time to further research this matter, to determine the legitimacy or non-legitimacy of the claim. The motion carried by a 5-0 vote.

- 1.3 Second Option Year Renewal of Contract for Police Safety Equipment for FY 2007-2008. (502-01)**

ACTION: The Mayor and City Council authorized a purchase order to Adamson Police Products in the amount of \$40,000 for the second option year renewal of a five year contract for police safety equipment.

- 1.4 First Option Year Renewal for Professional Auditing Services for FY 2007-2008. (502-04)**

ACTION: The Mayor and City Council approved the first option year renewal of the contract with Diehl, Evans & Company, LLP in the amount of \$41,685 for professional auditing services, and authorized the City Manager to execute the Agreement on behalf of the City.

**1.5 Notice of Completion for work performed by SoCal Pacific Construction Corporation for Drilling and Equipping of Water Well 107A located at 14582 Hunter Lane in the Midway City area. (502-19)**

ACTION: The Mayor and City Council accepted completed work on the subject project and directed the City Clerk to file a Notice of Completion with the County Recorder's Office.

**1.6 Acceptance of Easement Deed for 7861 16<sup>th</sup> Street. (401-19)**

ACTION: The Mayor and City Council accepted an Easement Deed for the subject property, and authorized the City Clerk to record the document with the County Recorder's Office.

**1.7 Award of Professional Design Services Agreement for Traffic Signal Design Services at Newland Street/Oasis Avenue, Edwards Street/Trask Avenue, and Hoover Street/21<sup>st</sup> Street; and, Traffic Signal Modifications at Westminster Boulevard/All American Way/Monroe Street, Trask Avenue/Goldenwest Street, and Hazard Avenue/Goldenwest Street. (502-20)**

ACTION: The Mayor and City Council awarded an agreement to Transportation and Energy Solutions to perform the subject work in an amount not-to-exceed \$36,905.00, and authorized the City Manager to execute an agreement on behalf of the City.

**1.8 Local Government Sharing Program Agreement. (502-03)**

ACTION: The Mayor and City Council approved the subject agreement with the Franchise Tax Board, and authorized the City Manager to execute the agreement on behalf of the City.

**1.9 Contractual Joint Venture Agreement with the County of Orange to provide services for the Family Resource Center for 2007-2008. (502-15)**

ACTION: The Mayor and City Council:

- 1) Approved the Contractual Joint Venture Agreement with the County of Orange to provide services at the Family Resource Center in the amount of \$258,500.00 for fiscal year 2007-08 and authorized the City Manager to execute the agreement on behalf of the City;
- 2) Authorized a purchase order for counseling and case management services to Western Youth Services in the amount of \$62,569; and
- 3) Authorized a purchase order for domestic violence, intervention/education and counseling services to Interval House in the amount of \$17,595.

**ORDINANCES (SECOND READING)/RESOLUTIONS**

- 1.10 Ordinance No. 2412 - Authorizing the Execution of an Amendment to the Contract with the California Public Employees' Retirement System to Provide Section 21574 (Fourth Level of 1959 Survivor Benefits) for Local Police Members Only. (502-03)**

ACTION: The Mayor and City Council adopted Ordinance No. 2412 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster authorizing an amendment to the contract between the City Council of the City of Westminster and the Board of Administration of the California Public Employees' Retirement System".

**WARRANT REGISTER**

- 1.11 (City Council/Redevelopment Agency) Warrant Register dated April 18 through May 1, 2007. (105-09)**

ACTION: Approved.

**INFORMATION AND REPORTS**

- 1.12 Minutes of the Planning Commission meeting held April 18, 2007. (104-11)**

ACTION: Received and filed.

- 1.13 Treasurer's Report – March 2007. (105-08)**

ACTION: Received and filed.

- 1.14 Minutes of the Community Services and Recreation Commission meeting held on February 5, 2007. (104-05)**

ACTION: Received and filed.

- 1.15 Minutes of the Cultural Arts Commission meeting held on March 1, 2007. (104-06)**

ACTION: Received and filed.

**Motion was made by Council/Agency Member Fry, seconded by Council/Agency Member Quach to approve the Consent Calendar with the exception of Item No. 1.2(c) which was removed for separate consideration. The motion carried by a 5-0 vote.**

**END OF CONSENT CALENDAR**

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## **2. ORAL COMMUNICATIONS**

Tami Bui introduced herself to the Mayor and City Council as the new Local Public Affairs Region Manager for Southern California Edison. Ms. Bui spoke about issues concerning the installation of lights on Bolsa Avenue and said she is working with City staff to resolve the matter.

Bob Way, Member of the Board of Directors with Senior Meals and Services, reported that Senior Meals and Services has merged with Feedback Foundation to form a new combined agency called Community SeniorServ, which will serve clients in North, Central and West Orange County. An event is scheduled for May 30<sup>th</sup> at the Senior Center.

Doug Jacks, Outgoing President of Senior Meals and Services, and current Vice President of Senior Serve, thanked the Council for its support.

Susan Gilpin, resident of Westminster, provided the Mayor and City Council with a petition to create a park for the children in the neighborhood north of Trask Avenue, east of Hoover and south of the 22 Freeway. The neighborhood would like to have the abandoned well property on Jasperson Way (Lot 89A) created into a neighborhood park to enjoy.

Phil Hodgetts, Energy Committee Member, urged support of an important energy bill. More information can be obtained on the website at [www.environmentalcalifornia.org/action/energy/solar](http://www.environmentalcalifornia.org/action/energy/solar). He spoke regarding other energy savings matters.

## **3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

### **3.1 The actions of the Planning Commission meeting held on May 2, 2007.**

RECOMMENDATION: The Mayor and City Council reviewed the items of the Planning Commission meeting of May 2, 2007.

- 1) Case 2005-62 Variance, Conditional Use Permit, Site Plan, Design Review on Edison Utility Right-of-Way west of Hoover Street and between Trask Avenue and 22 (Garden Grove) Freeway to construct a self storage facility.

Council discussion ensued relative to this item that was denied by the Planning Commission by a 5-0 vote and has been appealed by the applicant.

Jerry Dominguez, consultant for Southern California Edison, clarified that Edison would not appeal the decision of the Planning Commission. It would be the responsibility of the tenant. If Council chooses to support the Planning Commission decision, Southern California Edison would look for some other use for the property. He stated that this is an approved use for the property, but that there are a variety of approved uses for the property.

- 2) Case 2006-68 Site Plan Review, Design Review, and Variances at 13751 Edwards Street to upgrade an existing multi-family complex
- 3) Case 2006-95 Variance at 15151 Beach Boulevard (Beach City Auto Center) to allow a pole sign.

**Motion was made by Council Member Quach**, seconded by Council Member Ta to receive and file the report, with the exception of Item No. 1 which will be presented to Council at the May 30, 2007 meeting. The motion carried by a 5-0 vote.

MAYOR RICE RECESSED THE MEETING AT 8:10 P.M. AND RECONVENED THE MEETING AT 8:20 P.M. ALL MEMBERS OF COUNCIL WERE PRESENT.

#### 4. PUBLIC HEARINGS

- 4.1 **APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CASE NO. 2006-49 (TENTATIVE PARCEL MAP, SITE PLAN REVIEW, AND DESIGN REVIEW); LOCATION: 14241 PACIFIC AVENUE; APPLICANT: BON HOANG, AUTHORIZED AGENT FOR ALAN LEE, PROPERTY OWNER OF RECORD; APPELLANT: ALAN LEE, PROPERTY OWNER OF RECORD (Continued from the April 11, 2007 and April 25, 2007 Meetings). (201-00) (CN 2006-49)**

**Motion was made by Mayor Pro Tem Marsh**, seconded by Council Member Ta, to continue this item to the City Council meeting of May 30, 2007 as the applicant/appellant is requesting additional time to prepare plans. The motion carried by a 5-0 vote.

- 4.2 **REVIEW OF THE PLANNING COMMISSION'S ACTION OF CASE NO. 2006-107 (VARIANCE); LOCATION: 14231 ALTA STREET; APPLICANT: MR. MICHAEL DANIEL CARRILLO. (201-00) (CN 2006-107)**

Planning Manager Art Bashmakian reported that this request involves two variances, one variance is to encroach two and a half (2 ½) feet into the required four (4) foot side yard setback for a living room expansion on the house. The other variance is to allow the conversion of a hobby storage room on top of a detached garage to be converted into a second unit. On April 4, 2007 the Planning Commission voted to approve the variance for the two and a half (2 ½) foot encroachment for the living room expansion, but to deny the variances to allow the second unit conversion. On April 11, 2007, Mayor Rice called up the item for review.

The municipal code allows for a second unit by right in the R-1 zone, provided it meets specific standards. The standards issues with the project include that the new lot size: 1) has to be 7,000 square feet; 2) the unit has to attached or located within the main house; 3) has to provide a single car garage; and 4) is subject to all of the standard setbacks.

Mr. Bashmakian further stated that the lot is only 5,400 square feet. The proposed second unit is not attached or within the main house. In addition, a one car garage for the second unit is not being provided for the project. By default, the subject unit would be maintaining a five (5) foot rear and street side yard setback. The current code requires a twenty (20) foot rear and a ten (10) foot side yard setback.

Based on staff's report and public testimony, the Planning Commission could not make the findings to justify the variances, and therefore voted to deny all four (4) variances associated with the proposed second unit. The denial means that the applicant can continue to use the hobby/storage room as originally permitted in 1953, as this is a legal non-conforming situation. The applicant is not required to remove the structure. It can be used as a hobby room/recreation room/exercise room, etc. The structure must have appropriate electrical outlets and lights subject to building code that is associated with his hobby room or storage, but the structure cannot be used as a habitable room (meaning it cannot be using for sleeping, living or dining purposes). Based on the building permit records, the hobby room was approved as a single room 630 square foot room on top of the garage. Sometime within the past twelve years, a bathroom and shower was added, along with an area with a counter and sink. The room was also portioned into small rooms along with a closet area. Mr. Bashmakian said that should Council deny the variances, the owner would have to remove the bathroom and kitchen area. Although the code specifically prohibits bathrooms, he understands it has been a longstanding policy of the City not to allow bathrooms in accessory structures. The purpose is to preclude the possibility of facilitating and establishing an illegal unit.

Further, Mr. Bashmakian stated that if the Council does take action to allow the toilet and sink to remain, it would be subject to the building code, as the construction was done without permits. The original staff recommendation for the project was to deny both variances for the room addition, the encroachment into the side yard setback, and also the variance for the second unit. The Planning Commission approved the variance for the encroachment, but denied all of the variances for the second unit.

MAYOR RICE OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN FAVOR TO THE ITEM.

The applicant, Michael Carrillo, utilized the overhead projector to display the purchase agreement for his property, an electrical permit dated June, 1997, a rewire house upgrade dated September 28, 1997, and other documentation on his property and neighboring properties. Mr. Carrillo questioned whether the code relating to the lot size pertains to structures built in 1953 and assured the Council that nothing is being done that is intentionally illegal. He stated that the drain and water to the bathroom has been in place since 1956, according to the City sanitation department. Mr. Carrillo stated that his house is small and their intent is to build on the front of the house and stay in the back house, while working on the front house.



In response to Mayor Pro Tem Marsh, Mr. Carrillo said that he did not inquire with the City about his intentions for the property before he made the purchase, nor did he find out from the City if the structure was permitted before making the purchase. Mr. Carrillo stated he was going strictly on the information provided by the real estate broker who also told them the structure was rentable. He knew the lot was zoned R-1, but rent was not their concern, as they had no intention of renting the structure. Mr. Carrillo said he was never told the detached structure was for storage and that it looked lived in when he purchased the property.

Mayor Pro Tem Marsh further inquired and discussion ensued with Mr. Carrillo on whether a lawsuit has been filed against the seller of the property or the agent on this matter.

Council Member Quach commented that his issue is what is actually permitted for the property, what the City's code is as it relates to the property, and what the Council can do to assist him. He said he would like to see what the building code allows and see a copy of the Midway City Sanitary District letter.

Mayor Pro Tem Marsh responded that he is trying to gather the facts regarding what representations were made and whether or not the applicant had a reasonable and good faith belief or not, at the time of the purchase, as to certain matters, and whether or not the misimpression came in any way from the City.

Mr. Carrillo stated that he did not feel that papers relative to his lawsuit were relevant to this matter, or he would have provided them at the meeting.

MAYOR RICE ASKED IF ANY PERSONS WISHED TO SPEAK IN OPPOSITION TO THE ITEM.

The following persons spoke in opposition:

Linda Hodak-Burns, Harold Place, Huntington Beach

Beverly Rosen, Graham Street, Westminster

Arthur Rosen, Graham Street, submitted three (3) letters of opposition

John Willson, Alta Street

Concerns expressed were as follows: If approved, the unit at the top of the garage would be rented and would be in close proximity to a neighboring property, causing privacy issues. Other concerns expressed related to parties being held in the back yard of the subject property, lack of parking, devaluation of neighboring homes, and increased traffic.

IN REBUTTAL:

Michael Carrillo responded and displayed various views of pictures of his property and neighboring properties on the overhead projector. Mr. Carrillo noted he received the letter from the Midway City Sanitary District today. He said the drain has been there, and he assumes the water has been there since 1956. Further, he would be willing to sign a stipulation that he will not rent out the room, and stated that he has never rented out the unit.

In response to Mayor Pro Tem Marsh, Mr. Carrillo said that he requested the variance after he received the first violation notice from the City.

MAYOR RICE CLOSED THE PUBLIC HEARING.

Mayor Rice said she has visited the property and never noticed a parking problem. She commented that several letters were received from neighbors who live across the street from Mr. Carrillo that are not opposed to the proposal.

Mayor Pro Tem Marsh asked the Planning Manager why the City has a four (4) foot setback requirement. Mr. Bashmakian responded that there are two reasons for the setback required: 1) aesthetic quality of life - a separation in air space to allow for light and ventilation to take place. The code currently allows for the minimum setback to be 10% of the lot width. This lot is forty (40) feet, which is the reason for a four (4) foot setback. The second reason for the setback requirement is for health and safety reasons which are addressed in the building and fire codes.

Council Member Quach said he is not opposed to looking at a reasonable timeline to allow Mr. Carrillo to begin his work tomorrow to bring the room back to code. He is opposed to it being a habitable unit due to the lot size.

**Motion was made by Mayor Pro Tem Marsh**, seconded by Council Member Ta to approve the Planning Commission's recommendation to approve the request for an addition to the main dwelling within the required four (4) foot side setback, but to deny all of the other variances that were requested, that would convert the hobby/storage room into a second dwelling unit, and that we affirm the absolute prohibition of rental or dwelling in this storage unit, except during construction of the improvement on the main unit, but with the requirement that the bathroom and the kitchen fixtures be removed within 120 days from tonight.

The City Attorney said that the Building Official notified him that this is an unpermitted dwelling unit right now. If Mr. Carrillo is permitted to live in the unit for the next 120 days, the Building Code requires him to put the appropriate fire wall protections into the structure before he can dwell in it; otherwise it is an illegal and potentially hazardous occupancy.

The Building Official said that there is a one hour fire separation required within the garage and habitable areas. Currently, the building does not have that because it was not a habitable area. In order to use the space as a habitable area for any period of time, the fire separation needs to be put in. A 5/8 inch Type X gypsum board will meet that requirement.

**Motion was amended by Mayor Pro Tem Marsh amended the motion** to include the one hour fire protection as a requirement if he is to use that as dwelling space during the 120 day period as a precondition of it.

The second to the motion, Council Member Ta, agreed to the proposed amendment.

Mayor Rice asked that the motion be stated exactly as Mayor Pro Tem Marsh would like it voted.

**Motion was made by Mayor Pro Tem Marsh**, seconded by Council Member Quach to adopt the findings of the Planning Commission, consistent with this motion. Further, to approve the request for the addition to the main dwelling within the required four (4) foot side yard setback, with that construction to be completed within 120 days; to deny all variances necessary to convert the hobby/storage room into a second dwelling unit, however, to allow it to be used as a dwelling unit during the next 120 days (and only during the next 120 days), if and only if the required fireproofing is provided to meet the safety standards. At the conclusion of the 120 days, the bathroom and kitchen facilities must have been removed.

The motion carried as follows:

AYES: MARSH, FRY, QUACH, TA  
NOES: RICE  
ABSTAIN: NONE

Mayor Rice explained the reason for voting in opposition is that she does not believe that Mr. Carrillo should be able to live in the unit, and does not agree that it should be torn down.

## **5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**

### **5.1 Council/Agency Member Items**

Mayor Pro Tem Marsh expressed his appreciation to Mayor Rice for helping out his counterpart in the Youth in Government Day activities.

Council Member Ta thanked Council Member Fry for the time he spent with the students today. He wished all mothers in the City a Happy Mother's Day.

Council Member Quach thanked Mayor Rice and Council Member Fry for their assistance with his counterpart today. He wished his mother, Mayor Rice, and all mothers a Happy Mother's Day. He asked that the City Attorney revise our ordinance to allow reflexology (foot massages). He would like for it not to require a conditional use permit condition, but would like the police department to have overall input on the issuance of their own permits. He doesn't want any compartmentalization of the chairs or stations. Council Member Quach believes that there will be a growing demand for reflexology in the City.

Council Member Fry added that the hands should also be included in the ordinance. He thanked the students who participated in Youth in Government Day.

Mayor Rice wished everyone a Happy Mother's Day. She reported that the Energy Committee had a meeting and Phil Hodgetts was appointed as the Chair. The Committee will be meeting once a month and has some unique ideas. She

said that grant monies are available to help implement energy savings in the City. Mayor Rice commented on how much she enjoyed the students that participated in Youth in Government day. She also spoke about a device for traffic signals that will trigger the signal when there is no traffic.

## **5.2 AB 1234 Reports – None**

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**Motion was made by Council Member Quach**, seconded by Mayor Pro Tem Marsh, to bring forward Item No. 9.2 at this time. The motion carried by a 5-0 vote.

## **9.2 Appeal of the Traffic Commission's Denial of Request for Partial Street Closure on Northwestern Way at Bolsa Chica Road (201-00) (CN 2006-24)**

**TRAFFIC COMMISSION RECOMMENDATION:** That the Mayor and City Council deny the partial street closure on Northwestern Way at Bolsa Chica Road, and reconsider the request upon the completion of the 7-Eleven Market and gas station based on a subsequent study of before and after conditions, for the subject road.

**STAFF RECOMMENDATION:** That the Mayor and City Council also consider approving the partial closure, based on previous Council discussion to block ingress from Bolsa Chica Road, with egress only from Northwestern Way.

William Belisle, Hartford Way, said he was not notified of this hearing. He expressed concern that a full of partial closure at Bolsa Chica Road and Northwestern Way would cause safety issues. Mr. Belisle said the Fire Department has been opposed to the closure as emergency access would be a problem. He stated that nothing should be done, as there is no problem now, and taxpayers' monies should not be spent on performing traffic studies of this area.

Council Member Fry said after the 7-Eleven store goes in, it can be better determined if there is a traffic problem.

Robin Caruso, Northwestern Way, supports partial closure to allow egress only from Northwestern Way. She expressed concerns with safety and increased traffic.

Don Salow, Northwestern Way, stated that partial closure will allow fire trucks to come in if required. Mr. Salow said that when he did the survey, everybody he talked to supported partial closure. He spoke about the problem with trash when there was a Mobil station at the location.

Jack Harrison, Hartford Way, submitted a two-page petition signed from residents that are opposed to a partial closure at Bolsa Chica Road and Northwestern Way.

Mayor Pro Tem Marsh said there have been multiple hearings on this matter and there always seems to be a new set of issues each time.

Council discussion ensued relative to waiting to find out what the impact will be after the 7-Eleven is built. Council Member Quach added that construction vehicles could be prohibited from access if it becomes a problem.

**Motion was made by Council Member Fry**, seconded by Council Member Ta, to not do anything right now and wait until a problem exists. The motion carried by a 5-0 vote.

## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

### **6.1 Extension to Agreement for Emergency Transportation Services for the City of Westminster for the period of July 1, 2007 through August 31, 2007. (502-19)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize an appropriation of \$100,000 to Ambulance Transportation Services – Contractual Other; and
- 2) Approve a two month extension for the period July 1, 2007 through August 31, 2007 to the Agreement with Shoreline Ambulance for Emergency Transportation Services in the amount of \$100,000 (\$50,000 per month), and authorize the City Manager to execute the Agreement on behalf of the City.

Police Chief Andy Hall explained that they are currently working on the Request for Proposal (RFP) process for new emergency services. He feels that a three month (rather than a two month extension) is needed to the existing contract with Shoreline Ambulance to allow ample time to assure a quality process.

**Motion was made by Council Member Fry**, seconded by Council Member Ta to:

- 1) Authorize an appropriation of \$150,000 to Ambulance Transportation Services – Contractual Other; and
- 2) Approve a three month extension for the period July 1, 2007 through September 30, 2007 to the Agreement with Shoreline Ambulance for Emergency Transportation Services in the amount of \$150,000 (\$50,000 per month), and authorize the City Manager to execute the Agreement on behalf of the City.

Chuck Dovry with Pacific Ambulance said they look forward to the RFP and support the extension of the existing contract.

Darrell Nolta, resident of Westminster, expressed concern with emergency care and ambulances. He asked who Shoreline Ambulance is. Why aren't monies

budgeted for this contract? Why is the City confident that selecting Shoreline Ambulance will have no impact on public safety?

The motion carried by a 5-0 vote.

**6.2 Acceptance of State of California CPE 9-1-1 Funds and Establishment of a Capital Improvement Project Account to Accomplish 9-1-1 Upgrades. (805-01)**

**Motion was made by Council Member Fry**, seconded by Mayor Pro Tem Marsh to:

- 1) Accept State of California CPE 9-1-1 funds in the amount of \$395,000;
- 2) Approve a revenue increase to the fiscal year 2006-07 budget for the State of California CPE 9-1-1 funds in the amount of 395,000; and
- 3) Approve the establishment of a Capital Improvement Project Account to accomplish upgrades to the 9-1-1 system and emergency communications center.

Darrell Nolta, resident of Westminster, expressed support for this item and asked when the system will be completed and come on line to protect the citizens of Westminster. He commented that the City Council needs to have Brown Act training.

The City Attorney noted for the record that the Council has been certified and completed the Brown Act training.

The motion carried by a 5-0 vote.

**7. WRITTEN COMMUNICATIONS (Public)**

Mayor Rice shared an anonymous letter she received about streets that are torn up in the City. The individual suggested that she resign, to which she responded that she would not be resigning. Mayor Rice said the City is working as hard as it can to improve the City to make it a City that residents can be proud to live in.

**8. LEGISLATIVE ITEMS - None**

**9. COMMISSION AND COMMITTEE ITEMS**

**9.1 Request for Parking Restrictions for Street Sweeping Purposes on the South Side of 15<sup>th</sup> Street between All American Way and Newland Street – T.C. 71-328 (608-02)**

**Motion was made by Council Member Ta**, seconded by Council Member Quach to adopt Resolution No. 4082. entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no stopping or standing at

certain locations on the south side of 15<sup>th</sup> Street between All American Way and Newland Street for street sweeping purposes”.

The motion carried by a 5-0 vote.

**9.3 Appointments to City Commissions and Committees (104-00)**

**Motion was made by Council Member Ta**, seconded by Mayor Pro Tem Marsh to appoint Committee and Commission Members as follows:

Cultural Arts Commission	Larry Luera (Council Member Fry Alternate Member Appointee)
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Tree Education Committee	Darrell Nolta (Council Member Fry Appointee)
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	Khai Minh Dao (Council Member Ta Appointee)
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The motion carried by a 5-0 vote.

**COUNCIL/AGENCY ADJOURNMENT:** Mayor Rice adjourned the meeting at 10:52 p.m. to Wednesday, May 16, 2007 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California for the purpose of a budget study session and to conduct City/Agency business.

  
Marian Contreras, City Clerk/Agency Secretary